Retraction from earlier stand on use of POTA

4886. SHRI GAYA SINGH :
SHRI AMAR SINGH :
SHRI V.V. RAGHAVAN :
SHRI P. PRABHAKAR REDDY :
SHRI ABU ASIM AZMI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Government have filed an amended counter affidavit in the Supreme Court retracting from its earlier stand that the use of POTA against Mr. Vaiko was justified; and

(b) if so, the details and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) and (b) In case of the Writ Petition filed in the Supreme Court by Shri Vaiko, the Central Government filed an additional affidavit clarifying that while the Government of India fully supports the constitutionality of the Prevention of Terrorism Act, 2002 (POTA), it was of the view that the speech delivered by Shri Vaiko on 29.6.2001, if properly interpreted and read in the entire context of the speech and the surrounding circumstances did not attract the provisions of Section 21 of POTA.

Crimes on the Indian Railways

4887. SHRI LALIT SURI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of cases of theft, robberies, molestation and rape of women reported during the year 2002-03 so far on the Indian Railways, Zone-wise; and

(b) the steps taken/proposed to be taken to improve the law and order situation on railways, particularly in the more vulnerable sections?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : (a) As per the information furnished by National Crime Records Bureau the number of robbery cases reported in running trains during the year 2002 was 121 and in the year, 2003 (upto February) is nil. The number of theft cases reported in railways during the year 2001 was 15,251 and the information for the year 2002-2003 is not available. The information on the cases relating to molestation and rape of women in running trains and zone-wise information on the incidence of crimes in running trains is not maintained centrally.

(b) 'Police' and 'Public Order' are State subjects as per the Seventh Schedule to the Constitution of India. The detection, registration, investigation and prevention of crimes in trains is the responsibility of the State Governments. However, the Ministry of Home Affairs have issued guidelines to the State

Governments from time to time to give more focused attention to improving the administration of the criminal justice system.

Suicide cases of farmers

4888. SHRI RAVULA CHANDRA SEKAR REDDY :
SHRI K. RAMA MOHANA RAO :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether more than 1000 farmers committed suicide in the last five years;

(b) the role played by the National Human Rights Commission in respect of farmers' committing suicide in several States;

(c) whether adequate compensation to the bereaved families was paid; and

(d) the role played by Government to ensure that human rights were not violated?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) and (b) No specific information regarding farmers committing suicide is available. However, as per information received from the National Human Rights Commission (NHRC), it had received four complaints from the State of Andhra Pradesh (three in the year 1997-98 and one in 2001-2002) expressing concern over the suicides committed by farmers in the State of Andhra Pradesh on account of alleged State negligence and failure to implement its policies. The cases relating to the year 1997-98 have been closed by the Commission after considering the reports of the State authorities. The Commission had also received complaints from the State of Karnataka in the year 2002-2003 and had called for a report from the State authorities. The Commission will, after considering the report of the State Government, make appropriate recommendations in accordance with the provisions of the Protection of Human Rights Act, 1993.

(c) It is for the concerned State Governments to consider payment of compensation to the bereaved families if found appropriate.

(d) The Central Government has issued advisories from time to time to all State Governments to avoid violation of human rights. Since, law and order is a State subject it is for the State Government to take appropriate action to prevent incidents of violation of human rights.

Declaration of results in UPSC

† 4889. SHRI BALKAVI BAIRAGI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the procedure adopted to declare results of the candidates selected through interview by UPSC;

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† Original notice of the question was received in Hindi.